

1 ALLEN RUBY (SBN 47109)
2 RAOUL D. KENNEDY (SBN 40892)
3 JAMES P. SCHAEFER (SBN 250417)
4 SKADDEN, ARPS, SLATE, MEAGHER &
5 FLOM LLP
6 525 University Avenue, Suite 1400
7 Palo Alto, CA 94301
8 Telephone: (650) 470-4500
9 Facsimile: (650) 470-4570
10 allen.ruby@skadden.com
11 raoul.kennedy@skadden.com
12 james.schaefer@skadden.com

13 Attorneys for Plaintiff/Defendant
14 INTUITIVE SURGICAL, INC.

15 UNITED STATES DISTRICT COURT

16 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

17 ILLINOIS UNION INSURANCE COMPANY,
18 an Illinois corporation,

19 Plaintiff,

20 v.

21 INTUITIVE SURGICAL, INC., a Delaware
22 corporation,

23 Defendant.

24 INTUITIVE SURGICAL, INC.,

25 Plaintiff,

26 v.

27 ILLINOIS UNION INSURANCE COMPANY;
28 NAVIGATORS SPECIALTY INSURANCE CO.,

Defendants.

Case No. 3:13-cv-04863-JST
Hon. Jon S. Tigar

**JOINT STIPULATION TO EXTEND
MEDIATION DEADLINE FROM
OCTOBER 15, 2016, TO NOVEMBER 30,
2016; AND**

~~[PROPOSED]~~ ORDER.

Complaint Filed: October 21, 2013

Date: May 26, 2016
Time: 2:00 Pm
Location: Courtroom 9
Trial Date: June 19, 2017

CASE NO.: 3:15-cv-04834-JST

Complaint Filed: October 20, 2015

Intuitive Surgical, Inc. (“Intuitive”) and Illinois Union Insurance Company (“Illinois Union”) jointly stipulate, pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, to extend the deadline for mediation of the consolidated actions numbered Case No. 3:13-cv-04863-JST and Case No. 3:15-cv-04834-JST, if it pleases this Court.

WHEREAS, on July 26, 2016, the parties submitted a Joint Stipulation to Scheduling Order which was approved and entered by the Court on July 28, 2016 (Dkt. 186¹).

WHEREAS, the Scheduling Order provided for a mediation deadline of October 15, 2016.

WHEREAS, the parties have been conducting fact discovery in Case No. 3:15-cv-04834-JST, which has a fact discovery cut-off date of November 10, 2016.

WHEREAS, the parties through their counsel have met and conferred, and agree that a private mediation is best conducted after the close of all fact discovery on November 10, 2016.

NOW THEREFORE, the parties, through the undersigned counsel, hereby respectfully stipulate and request that this Court extend the mediation deadline to November 30, 2016, to allow the parties adequate time to conduct a private mediation in consolidated actions numbered Case No. 3:13-cv-04863-JST and Case No. 3:15-cv-04834-JST, if this date is convenient to this Court. This change in the deadline for mediation will not change or affect any of the other dates in the Scheduling Order entered on July 28, 2016:

Event	Current Date	New Schedule
Mediation Deadline	October 15, 2016	November 30, 2016

//

//

//

//

//

¹ Unless otherwise indicated, all docket citations refer to the ECF docket in *Illinois Union Ins. Co. v. Intuitive Surgical, Inc.*, No. 3:13-cv-04863-JST.

1 DATED: October 11, 2016

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

2 By: /s/ James P. Schaefer
3 Attorneys for
4 INTUITIVE SURGICAL, INC.

5 COZEN O'CONNER

6 By: /s/ Charles Wheeler
7 Attorneys for
8 ILLINOIS UNION INSURANCE COMPANY

9 Pursuant to Civil Local Rule 5-1(i), the filer attests that concurrence in the filing of this
10 document has been obtained from the signatories above.

11
12 /s/ James P. Schaefer

13 ///

14 ///

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

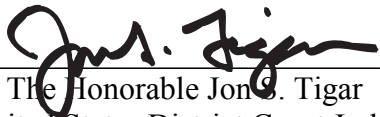
[PROPOSED] ORDER

**PURSUANT TO THE FOREGOING STIPULATION OF THE PARTIES, IT IS
ORDERED THAT:**

The Court enters the following modification to the case schedule for consolidated actions numbered Case No. 3:13-cv-04863-JST and Case No. 3:15-cv-04834-JST:

Event	Current Date	New Schedule
Mediation Deadline	October 15, 2016	November 30, 2016

DATED: October 13, 2016


The Honorable Jon G. Tigar
United States District Court Judge